

1 Honorable Ronald B. Leighton
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12 UNITED STATES DISTRICT COURT
13 WESTERN DISTRICT OF WASHINGTON
14 AT SEATTLE

15 MARLA TOLLIVER, Individually and)
16 as Personal Representative of the)
17 ESTATE OF RONALD SCROGGINS,)
18)
19 Plaintiffs,)
20)
21 v.)
22)
23 THE UNITED STATES OF AMERICA)
24 BUREAU OF INDIAN AFFAIRS, and)
25 DEPARTMENT OF THE INTERIOR)
26)
27 Defendants.)
28

NO. C10-5056-RBL

STIPULATION AND ORDER
EXTENDING INITIAL DEADLINES; AND
JOINT NOTICE OF FILING STIPULATION
TO CONSOLIDATE WITH CASE NO.
10-CV-5060-RJB

(Please note Stipulation on Motion Calendar
for April 19, 2010)

STIPULATION

Without waiver of any claim or defense any party may assert in this action, pursuant to Fed. R. Civ. P. 6(b)(1) and Local Civil Rule 7(d)(1), Plaintiffs Marla Tolliver and Larry Scroggins and Defendant, the United States of America, (collectively, "the parties"), by and through their undersigned counsel, hereby file this Stipulation and Proposed Order requesting

STIPULATION EXTENDING INITIAL DEADLINES AND
JOINT NOTICE OF STIPULATION TO CONSOLIDATE - 1
(C10-5056-RBL)

1 that the Court modify the deadlines for the parties' initial conference, initial disclosures, and
2 joint status report (collectively, the "initial deadlines").

3 On February 8, 2010 (Dkt. 8), this Court entered an Amended Minute Order setting the
4 following initial deadlines:

5 -Deadline for Fed. R. Civ. P. 26(f) Conference: 04/26/2010;
6 -Deadline for Initial Disclosures: 05/01/2010;
7 -Deadline for Joint Status Report: 05/10/2010.

8 Pursuant to a Stipulated Motion described in more detail below, the parties seek to
9 consolidate this matter with a related case currently pending in this district also before the
10 Honorable Ronald B. Leighton, *viz.*, *Francis et al. v. United States*, No. C10-cv-5060-RBL
11 ("*Francis*").

12 Therefore, the parties, by and through their respective counsel of record, hereby
13 STIPULATE, AGREE, and JOINTLY REQUEST that the Court enter an order extending the
14 initial deadlines to those previously set in *Francis*, as follows:

15 -Deadline for Fed. R. Civ. P. 26(f) Conference: 05/11/2010;
16 -Deadline for Initial Disclosures Pursuant to FRCP 26(a)(1): 05/25/2010;
17 -Deadline for Joint Status Report: 06/01/2010.

18 *See Francis*, Dkt. 3.

19 **JOINT NOTICE**

20 The parties respectfully file this Notice to inform the Court that the parties have filed a
21 Stipulated Motion to Consolidate this matter with and in *Francis*. *See Francis*, Dkt. 12. The
22 Stipulated Motion to Consolidate is noted for consideration on April 16, 2010, and asks the
23 Court to consolidate this action with *Francis* to promote judicial efficiency and conserve
24 resources.

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28 STIPULATION EXTENDING INITIAL DEADLINES AND
JOINT NOTICE OF STIPULATION TO CONSOLIDATE - 2
(C10-5056-RBL)

1 So stipulated, jointly noted, and respectfully submitted this 19th day of April, 2010.
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4 DATED: April 19, 2010.
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7 /s/ Karen L. Unger
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9 KAREN L. UNGER, P.S.
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18 Attorneys for Plaintiff Larry Scroggins
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20 DATED: April 19, 2010.
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23 JENNY A. DURKAN
24

25 United States Attorney
26

27 /s/ J. Michael Diaz
28 J. MICHAEL DIAZ, WSBA No. 38100
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29 Attorneys for the United States of America
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31 **[PROPOSED] ORDER**
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33 The parties having so stipulated, it is so ORDERED.
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35 DATED this 20th day of April, 2010.
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38 RONALD B. LEIGHTON
39 UNITED STATES DISTRICT JUDGE
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